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January 20, 1995

VIA HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
Room 222
1919 M Street, N.W.
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Re: CC Docket No. 92-115

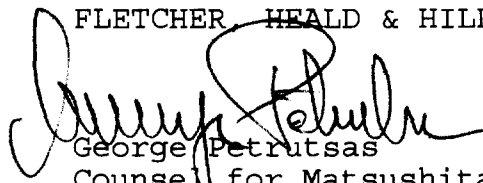
Dear Mr. Caton:

Transmitted herewith for filing in the above-referenced rulemaking proceeding are an original and eleven (11) copies of the Comments of Matsushita Communications Industrial Corporation of America in Support of Petitions for Reconsideration.

If you need additional information, please communicate with us.

Very truly yours,

FLETCHER, HEALD & HILDRETH, P.L.C.


George Petrutsas
Counsel for Matsushita
Communications Industrial
Corporation of America

GP:cej
Enclosures

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In the Matter of)
)
Revision of Part 22 of the) CC Docket No. 92-115
Commission's Rule Governing)
the Public Mobile Services)

**COMMENT OF MATSUSHITA
COMMUNICATIONS INDUSTRIAL CORPORATION OF
AMERICA IN SUPPORT OF PETITIONS
FOR RECONSIDERATION**

Matsushita Communications Industrial Corporation of America ("MCC") files these comments, pursuant to Section 1.429(f) of the Commission's Rules, in support of the petitions for reconsideration filed in this proceeding by the Mobile and Personal Communications 800 Section of the Telecommunications Industry Association ("TIA"), and by the Ericsson Corporation ("Ericsson"). TIA and Ericsson ask the Commission to reconsider certain provisions of Section 22.919 of its Rules which was adopted in the proceeding. Section 22.919 incorporates into the Rules the long-standing requirement that each cellular mobile telephone have an electronic serial number ("ESN") and in addition imposes strict manufacturing standards which require, among other things, that the ESN ". . . must not be alterable, transferable, removable, or otherwise able to be manipulated." Subsection (c), Section 22.919. MCC is a manufacturer and a major supplier of cellular telephones and, as such, it is vitally

interested in this matter. Briefly, MCC supports TIA's and Ericsson's petitions and urges the Commission to given them favorable consideration.

TIA asks the Commission to modify its decision so as to continue to allow manufacturers and their authorized field agents to transfer ESNs in connection with servicing and upgrading cellular phone equipment. TIA also requests the Commission to reconsider and modify its decision so as to require that new cellular telephone equipment models comply with industry developed authentication standards. Ericsson also asks the Commission to reconsider its decision to adopt Section 22.919. In addition, Ericsson recommends that the Commission convene an advisory committee to engage in negotiated rulemaking looking towards adopting alternative rules designed to prevent cellular fraud. In the alternative, Ericsson urges the Commission to allow manufacturers and their authorized agents to make changes to the software and firmware of their cellular phone equipment provided the particular cellular phones involved comply with the industry developed authentication standard.

MCC appreciates the seriousness of the problem the Commission is addressing by its decision to adopt Section 22.919 of its Rules. However, while MCC applauds the Commission's efforts, it nevertheless shares TIA's and Ericsson's concerns that Section 22.919 in its present form may not be the most effective and desirable method for addressing this difficult

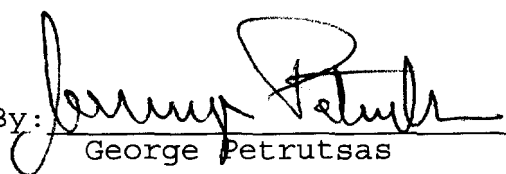
problem. Clearly, as the Petitioners have demonstrated, implementation of the new rule would impose substantial costs and inconvenience on manufacturers and, more importantly, on cellular phone subscribers. MCC also shares the views of petitioners that authentication could be a more effective and less costly weapon against cellular fraud and need not interfere, as the Commission has assumed, with the provision of cellular phone extension services. Therefore, the Commission is urged to reconsider its decision and take another closer look into the industry's authentication proposal. The matter can be explored further, if necessary, by the industry advisory committee Ericsson has proposed. MCC believes that, given another opportunity, representatives from manufacturers, cellular carriers and the user community will be able to develop an alternative, effective program for combatting cellular fraud.

Accordingly, MCC urges the Commission to grant the petitions for reconsideration filed by TIA and Ericsson, set aside Section 22.919, and institute a negotiated further rule making proceeding

aimed at developing rules for combatting cellular fraud,
including consideration of a mandatory authentication requirement
for cellular phones.

Respectfully submitted,

MATSUSHITA COMMUNICATIONS
INDUSTRIAL CORPORATION OF
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Date: January 20, 1995
cej/gp/gp#4/matsus.pleading

CERTIFICATE OF SERVICE

I, Chellestine Johnson, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C., do hereby certify that copies of the foregoing "Comment of Matsushita Communications Industrial Corporation of America in Support of Petitions for Reconsideration" were sent this 20th day of January, 1995, by hand delivery and first-class United States mail, postage prepaid, to:

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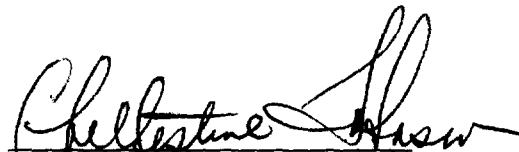
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